

REMARKS

Reconsideration of the application is respectfully requested. No claims have been amended, canceled or added.

I. Introduction

Claims 1-9 are currently pending in the application. Claims 1-9 have been amended. Applicant respectfully submits that no new matter has been added. No claims have been added or canceled. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

II. Rejection under 35 U.S.C. § 112

Claims 1-9 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Office Action points to the recitation of a "computer readable medium" as being unsupported by the specification. In response, claims 1-6 have been amended to remove this recitation. Applicant respectfully submits that claims 7-9 do not recite a computer readable medium. Applicant respectfully requests that the 35 U.S.C § 112 rejection of claims 1-9 be withdrawn.

III. Rejection under 35 U.S.C. § 101

Claims 1-9 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In response, each of claims 1-9 has been amended.

Claims 1-4 each now state that the overall appropriateness rating is stored in memory on the monitored computer. Claims 5-6 have been similarly amended to state that the overall appropriateness rating is stored in memory on one of the plurality of monitored computers. Support for these amendments may be found at least in p. 23, lines 15-17, of the application as originally filed. Applicant respectfully submits that the overall appropriateness rating is functionally related to each step of the claim method. Moreover, Applicant respectfully submits that storing an overall appropriateness rating in memory on a monitored computer combines the

overall appropriateness rating with a computer readable medium. Applicant respectfully submits that claims 1-6 are in compliance with 35 U.S.C. § 101.

Claims 7-8 have been amended to recite utilizing the client application to block communication for digital content with a disapproval indication and to permit communication for digital content with an approval indication. Applicant respectfully submits that this feature has a physical effect on the network, with network communication being blocked or allowed based on whether an approval or disapproval indication is received. Applicant respectfully submits that claims 7-8 are directed to statutory subject matter in compliance with 35 U.S.C. § 101.

Claim 9 has been amended to recite allocating a request for service to a particular one of a cluster of servers that is best able to respond. Applicant respectfully submits that this allocation also has a physical effect on the network by directing and balancing the flow of bits among servers. After the allocation, the specific network traffic for the request for service is allocated to a particular server. Applicant respectfully submits that claim 9 is in compliance with 35 U.S.C. § 101.

Applicant respectfully submits that claims 1-9 are in compliance with 35 U.S.C. § 101 and requests that the 35 U.S.C. § 101 rejection of claims 1-9 be withdrawn.

IV. Rejection under 35 U.S.C. § 102

Claims 1-9 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,519,571 to Guheen et al. ("Guheen"). Applicant respectfully submits that Guheen fails to teach or suggest at least one of the features of each of claims 1-9. Claims 1-9 have each been amended as set forth more particularly below.

A. Rejection of Claim 1

Claim 1 is directed to a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user. Claim 1 has been amended in a few respects. The inappropriate words in the blacklist database have been clarified as words that are illicit and the rating associated with each word has been clarified as a rating that is indicative of the extent to which each inappropriate word in the blacklist database is illicit. The appropriateness rating has been clarified as a rating that is indicative of the extent to

which the text is illicit. Furthermore, the overall appropriateness rating has also been clarified as being indicative of the extent to which each individual piece of digital content is illicit.

Guheen is a patent concerned entirely with facilitating electronic commerce through a system for customizing a user interface. Although Guheen discloses customizing the user interface based on user indicia such as search requests, products purchased, and products looked at but not returned, it fails to teach or suggest at least the features clarified in the amendments discussed above with respect to a blacklist database of inappropriate words, an appropriateness rating, and an overall appropriateness rating. Applicant respectfully submits that claim 1 distinguishes over Guheen and respectfully requests that the 35 U.S.C. § 102 rejection of claim 1 be withdrawn.

B. Rejection of Claim 2

Claim 2 is directed to a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user. Claim 2 has been amended in a few respects. The inappropriate words in the blacklist database have been clarified as words that are illicit and the rating associated with each word has been clarified as a rating that is indicative of the extent to which each inappropriate word in the blacklist database is illicit. The appropriateness rating has been clarified as a rating that is indicative of the extent to which the text is illicit. Furthermore, the overall appropriateness rating has also been clarified as being indicative of the extent to which each individual piece of digital content is illicit. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (c), and (g) of claim 2. Applicant respectfully submits that claim 2 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 2 be withdrawn.

C. Rejection of Claim 3

Claim 3 is directed to a method of monitoring the appropriateness of internet content received at a monitored computer under the control of a monitored user. Claim 3 has been amended in a few respects. The inappropriate words in the blacklist database have been clarified as words that are illicit and the rating associated with each word has been clarified as a rating

that is indicative of the extent to which each inappropriate word in the blacklist database is illicit. The appropriateness rating has been clarified as a rating that is indicative of the extent to which the text is illicit. Furthermore, the overall appropriateness rating has also been clarified as being indicative of the extent to which each individual internet page is illicit. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (c), and (g) of claim 3. Applicant respectfully submits that claim 3 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 3 be withdrawn.

D. Rejection of Claim 4

Claim 4 is directed to a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user. Claim 4 has been amended in a few respects. The inappropriate single words in the blacklist database have been clarified as single words that are illicit and the inappropriate phrases have been clarified as phrases that are illicit. The rating associated with each inappropriate single word and each inappropriate phrase has been clarified as a rating that is indicative of the extent to which each inappropriate word or phrase in the blacklist database is illicit. The appropriateness rating has been clarified as a rating that is indicative of the extent to which the text is illicit. Furthermore, the overall appropriateness rating has also been clarified as being indicative of the extent to which each individual piece of digital content is illicit. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (c), (d) and (i) of claim 4. Applicant respectfully submits that claim 4 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 4 be withdrawn.

E. Rejection of Claim 5

Claim 5 is directed to a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user. Claim 5 has been amended in a few respects. The inappropriate words in the blacklist database have been clarified as words that are illicit and the rating associated with each word has been clarified as a rating that is indicative of the extent to which each inappropriate word in the blacklist

database is illicit. The appropriateness rating has been clarified as a rating that is indicative of the extent to which the text is illicit. Furthermore, the overall appropriateness rating has also been clarified as being indicative of the extent to which each individual piece of digital content illicit. Applicant respectfully submits that claim 5 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 5 be withdrawn.

F. Rejection of Claim 6

Claim 6 is directed to a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user. Claim 6 has been amended in a few respects. The appropriateness rating has been clarified as being indicative of the extent to which the digital content is illicit. The overall appropriateness rating has been clarified as being indicative of the extent to which each individual piece of digital content is illicit. Also, claim 6 has been amended to recite utilizing the server application to determine whether or not content associated with the internet address has been rated previously *based on the extent to which the content is illicit*. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (i), and (l) of claim 6. Applicant respectfully submits that claim 6 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 6 be withdrawn.

G. Rejection of Claim 7

Claim 7 is directed to a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network, each under the control of a monitored user. Claim 7 has been amended in a couple respects. The approval or disapproval indication has been clarified as being determined at least in part by the extent to which each piece of digital content is illicit. Also, claim 7 has also been amended to clarify that the content rating and content filtering functions rate and filter based on the extent to which content is illicit. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (i), and (j) of claim 7. Applicant respectfully submits that claim 7 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 7 be withdrawn.

H. Rejection of Claim 8

Claim 8 is directed to a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network, each under the control of a monitored user. Claim 8 has been amended in a couple respects. The approval or disapproval indication has been clarified as being determined at least in part by the extent to which each piece of digital content is illicit. Also, claim 8 has also been amended to clarify that the modules for performing content rating and content filtering operate based on the extent to which content is illicit. For reasons similar to those given with respect to claim 1, Applicant respectfully submits that Guheen fails to teach or suggest at least features (b), (h), and (i) of claim 8. Applicant respectfully submits that claim 8 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 8 be withdrawn.

I. Rejection of Claim 9

Claim 9 is directed to a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network, each under the control of a monitored user. Applicant respectfully submits that Guheen fails to teach or suggest at least the feature of utilizing the server application to determine automatically which particular one of the cluster of servers is best able to respond to a request for service. The Examiner-cited sections of Guheen refer to specific architectures unrelated to this feature and to verifying that the system is continually functioning. Guheen does not disclose determining which particular one of the cluster of servers is best able to respond to a request for service and then allocating the request for service to that server. Applicant respectfully submits that claim 9 distinguishes over Guheen and requests that the 35 U.S.C. § 102 rejection of claim 9 be withdrawn.

V. Conclusion

In view of the foregoing amendments and remarks, Applicant believes the pending application to be in condition for allowance. A Notice to that effect is respectfully requested.

In view of the above amendment, Applicant respectfully submits that the present application is in condition for allowance. A Notice to that effect is respectfully requested.

Dated: May 24, 2007

Respectfully submitted,

By 

Ross T. Robinson

Registration No.: 47,031

WINSTEAD PC

P.O. Box 50784

Dallas, Texas 75201

(214) 745-5400

Attorneys For Applicant